

REMARKS

Claims 1, 2, 5, 19 and 21 stand rejected under 35 U.S.C. 102(b) as being allegedly anticipated by U.S. Patent No. 6,132,405 to Nilsson (“Nilsson”). Applicants traverse this rejection.

According to the Examiner, Nilsson describes a device and a method for delivering a non-Newtonian fluid for therapeutic purposes. However, nowhere in Nilsson is there any description of delivering a non-Newtonian fluid. Throughout, Nilsson only describes a fluid in general and does not describe any characteristics of the fluid (*see e.g.* col. 5, lines 55 to col. 6, line 14). As such, Applicants submit that claims 1, 2, 5, 19 and 21 are not anticipated by Nilsson and Applicants request withdrawal of this rejection.

Regarding the other references noted by the Examiner but not specifically cited, Applicants submit that even if these references describe a non-Newtonian fluid (which Applicants do not concede), there is no motivation to use a non-Newtonian fluid with the device described by Nilsson. Specifically, Nilsson is directed to reducing flow resistance through a catheter so that fluid does not lash out and cause displacement of the catheter. There is no suggestion that the device of Nilsson should be used with a specific type of fluid that has specific characteristics, such as a non-Newtonian fluid. For at least these reasons, Applicants submit that Nilsson, in view of the other references noted of record, does not render obvious the present claims.

CONCLUSION

It is respectfully submitted that the present application is now in condition for allowance, which action is respectfully requested. The Examiner is invited to contact Applicants' representative to discuss any issue that would expedite allowance of the subject application.

Any fees for extension(s) of time or additional fees required in connection with the filing of this response, are hereby petitioned under 37 C.F.R. § 1.136(a), and the Commissioner is authorized to charge any such required fees or to credit any overpayment to Kenyon & Kenyon's Deposit Account No. 11-0600.

Respectfully submitted,

KENYON & KENYON LLP

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By: Zeba Ali
(Reg. No. 51,392)

1500 K Street, N.W.
Suite 700
Washington, D.C. 20005
Tel: (202) 220-4200
Fax: (202) 220-4201

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